

Message Text

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ORIGIN EUR-25

INFO OCT-01 ADP-00 AID-20 CEQ-02 CIAE-00 COA-02 COME-00

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08/17/73 EXT 22717

APPROVED BY EUR:WJSTOESSEL, JR.

EUR/CAN:EMBROWN

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R 172328Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: SENV, CA

SUBJ: MARINE POLLUTION: OIL SPILL CONTINGENCY PLAN

REF : OTTAWA 1881

1. FOLLOWING IS TEXT OF LETTER ADDRESSED TO MCKINNEY AT
CANADIAN EMBASSY IN REPLY HIS LETTER (COPY SENT BY POUCH)
DATED 17:

QUOTE

DEAR MR. MCKINNEY:

WE REGRET THE DELAY IN THIS RESPONSE TO YOUR LETTER
DATED JULY 17 TO MR. RUFUS Z. SMITH ABOUT THE JOINT
CANADA-US MARINE POLLUTION CONTINGENCY PLAN. IN
THE INTERDEPARTMENTAL CONSIDERATION OF THE PLAN,
THERE AROSE QUESTIONS OF ITS POSSIBLE RELATIONSHIP
TO UNSETTLED TERRITORIAL AND JURISDICTIONAL QUES-
TIONS BETWEEN OUR TWO COUNTRIES, AND OF THE NATURE
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AND EXTENT OF STATUTORY AUTHORITY FOR ITS FUNDING

COMMITMENTS. WE ARE GLAD TO REPORT THAT WE BELIEVE
WAYS OF DEALING WITH THESE PROBLEMS ARE IN PROSPECT,
AND THAT WE SOON WILL BE ABLE TO SUBMIT THEM TO YOUR
GOVERNMENT FOR ITS CONSIDERATION AND APPROVAL.

THE PROVISIONS OF THE PLAN REGARDING DELINEATION OF
THE AREAS OF RESPONSIBILITY IN DISPUTED BOUNDARY
AREAS AND BEYOND THE TERRITORIAL SEA, DEVELOPED IN
THE COURSE OF THE NEGOTIATIONS, GAVE US PARTICULAR
DIFFICULTY. WE PROPOSE TO MINIMIZE POSSIBLE QUES-
TIONS BY UTILIZING AS REFERENCE AREAS THOSE SET OUT
IN THE SEARCH AND RESCUE AGREEMENT OF JULY 21, 1972
BETWEEN OUR COUNTRIES. WE WILL ALSO SUBMIT PRO-
POSALS REGARDING REVISION OF THE PREVIOUSLY
DEVELOPED FUNDING ARRANGEMENTS TO TAKE INTO ACCOUNT
CERTAIN LIMITATIONS ON STATUTORY FUNDING AUTHORITY
WHICH WE HERETOFORE HAD NOT FULLY APPRECIATED.

WE THANK YOU FOR YOUR PATIENCE IN THIS MATTER, AND
SHARE YOUR VIEW OF THE DESIRABILITY OF REACHING
AGREEMENT UPON A PLAN, TO ASSURE THE HIGHEST DEGREE
OF PREPAREDNESS AND PROTECTION IN THE EVENT OF A
MAJOR POLLUTION INCIDENT. SINCERELY, WALTER J.
STOESSEL, JR., ASSISTANT SECRETARY FOR EUROPEAN
AFFAIRS UNQUOTE

2. FYI ONLY: UPON DEPT REVIEW OF DRAFT PLAN NEGOTIATED
WITH CANADIANS, IT WAS DISCOVERED THAT LINES DRAWN OUT
INTO HIGH SEAS BY CANADIANS CORRESPONDED EXACTLY WITH
CANADIAN CLAIMS ON CONTINENTAL SHELF BOUNDARY. TO AVOID
ANY MISINTERPRETATION, WE ARE SUGGESTING SEARCH AND RESCUE
LINES BE USED INSTEAD TO DELINEATE AREAS OF RESPONSIBILITY
IN HIGH SEAS. END FYI

3. WE HAVE INFORMED CANADIAN EMBASSY ORALLY THAT IT WILL
TAKE A LITTLE WHILE TO GO THROUGH DRAFT AGREEMENT AND
MAKE ALL NECESSARY CHANGES IN LANGUAGE, BUT THAT AS SOON
AS THIS ACTION COMPLETED, WE SHALL SUBMIT NEW LANGUAGE
FOR TRANSMITTAL TO OTTAWA. SINCE STOESSEL LETTER MEN-
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TIONS SPECIFIC NATURE OF CHANGES, CANADIANS SHOULD BE
ABLE REVIEW DRAFT ON THEIR OWN TO SEE HOW THIS MIGHT
AFFECT THEM. CANADIAN EMBASSY INDICATED IT WAS PLEASED
WITH PROGRESS, AND DID NOT SEEM TO OBJECT TO ADDITIONAL
TIME REQUIRED. ROGERS

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To: OTTAWA
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